

CHAPTER NO. 828

HOUSE BILL NO. 691

By Representatives Sherry Jones, Arriola, Jackson, David Davis, Bowers, Kerr, Pinion, Dunn

Substituted for: Senate Bill No. 695

By Senator Herron

AN ACT to amend Tennessee Code Annotated, Section 63-3-101, relative to podiatrists.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 63-3-101, is amended by deleting the existing language in its entirety and substituting instead the following:

(a) Within this chapter, a "podiatrist" means one who examines, diagnoses, or treats medically, mechanically, or surgically, the ailments of the human foot, ankle and soft tissue structures extending no higher than the distal tibial metaphyseal flair, including the use and prescribing of drugs and medications, but excluding the direct applications of general anesthesia by a podiatrist and the amputation of the foot. A podiatrist may perform Achilles tendon repair, subject to the provisions of subsection (b), but may not perform surgery on Pilon fractures or tibial fractures which do not enter the ankle joint.

(b) A licensed podiatrist may perform ankle surgery only when that podiatrist meets the requirements of either (1) or (2) below:

(1) Was prior to October 2, 1995, credentialed to perform ankle surgery by a JCAHO-accredited hospital or JCAHO-accredited ambulatory surgical treatment center; provided, however, a podiatrist who qualifies to perform ankle surgery under subdivision (1) must obtain certification to perform reconstructive rearfoot/ankle surgery from the American Board of Podiatric Surgery by December 31, 2005, and may not continue to perform ankle surgery if that podiatrist has not obtained certification by that date; or

(2) Has completed a surgical residency program at least twenty-four (24) months in length which has been approved by the Council on Podiatric Medical Education and is currently eligible for certification to perform reconstructive rearfoot/ankle surgery by the American Board of Podiatric Surgery; provided, however, a podiatrist who qualifies to perform ankle surgery under subdivision (2) must obtain certification to perform reconstructive rearfoot/ankle surgery from the American Board of Podiatric Surgery within six (6) years of the effective date of this act or within six (6) years of first becoming eligible for certification, whichever date is later, and may not continue to perform ankle surgery if that podiatrist has not obtained certification by the end of the six (6) year period.

(c) A licensed podiatrist may perform ankle surgery only in a JCAHO-accredited hospital or ambulatory surgical treatment center licensed under Title 68 at which the

podiatrist has surgical privileges to perform ankle surgery. A podiatrist who performs ankle surgery in an ambulatory surgical treatment center must first have surgical privileges to perform ankle surgery at a local hospital. A licensed podiatrist who performs ankle surgery must meet the same standard of care applicable to orthopaedic surgeons who perform ankle surgery.

(d) Licensed podiatrists may perform non-surgical care on the ankle without meeting the requirements of subsection (b).


SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

**PASSED: May 15, 2000**

  
JIMMY NAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES

  
JOHN S. WILDER  
SPEAKER OF THE SENATE

**APPROVED this 24<sup>th</sup> day of May 2000**

  
DON SUNDQUIST, GOVERNOR